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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

LINDA WRIGLEY, M.D. and ALASKA
OB-GYN ASSOCIATES, LLC,

Plaintiffs,

vs.

PROVIDENCE HEALTH & SERVICES –
WASHINGTON, PROVIDENCE ALASKA
MEDICAL CENTER, and PROVIDENCE
COMMUNITY MINISTRY BOARD,

Defendants.

Case No. _____

NOTICE OF REMOVAL OF CIVIL ACTION

TO: Clerk, United States District Court for the District of Alaska

AND TO: Plaintiff Linda Wrigley, M.D. and Plaintiff Alaska Ob-Gyn Associates,
LLC, through their lawyers of record Paul D. Stockler and the Law Offices
of Paul D. Stockler, and Ellen J. Zucker and Burns & Levinson LLP.

Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Defendant Providence Health & Services—Washington d/b/a Providence Alaska Medical Center (“Providence”)¹ hereby removes this case to the United States District Court for the District of Alaska on the grounds set forth below:

1. On or about July 31, 2017, Plaintiffs Linda Wrigley, M.D. (“Wrigley”) and Alaska Ob-Gyn Associates, LLC (“Alaska Ob-Gyn”) filed an action against Providence Health & Services—Washington, Providence Alaska Medical Center, and Providence Community Ministry Board in the Superior Court for the State of Alaska, Third Judicial District at Anchorage, titled *Linda Wrigley, M.D. and Alaska Ob-Gyn Associates, LLC v. Providence Health & Services—Washington, et al.*, Case No. 3AN-17-08209CI (the “State Action”).

TIMELY REMOVAL

2. Providence first received the initial pleadings setting forth the claims for relief on which the State Action is based on August 7, 2017. This Notice of Removal of Civil Action is filed within thirty days after receipt by Providence of copies of the Summons and Complaint in the State Action on August 7, 2017, and is timely under 28 U.S.C. § 1446(b).

¹ Plaintiff’s Complaint also improperly identified the “Providence Community Ministry Board” as a Defendant. Providence Community Ministry Board is not an entity capable of being sued and has not been served.

3. A copy of all process, pleadings, and orders served in the State Action is attached as Exhibit A.

DIVERSITY JURISDICTION

4. This Court has original jurisdiction over the claims set forth in the Complaint pursuant to 28 U.S.C. § 1332(a), on the basis of diversity jurisdiction. Diversity Jurisdiction exists where the matter in controversy is between citizens of different states and exceeds the sum or value of \$75,000, exclusive of interest and costs. 28 U.S.C. § 1332.

5. On information and belief, Wrigley is a citizen of Alaska. Compl. ¶ 1.

6. On information and belief, Alaska Ob-Gyn is an Alaska limited liability company that is wholly-owned by Wrigley. Compl. ¶ 2.

7. Defendant Providence is incorporated as a nonprofit corporation in the State of Washington, with its principal place of business in Washington. It is a citizen of Washington, and therefore is not a citizen of the same state as Wrigley or Alaska Ob-Gyn. Compl. ¶ 3. Defendant Providence Community Ministry Board is not an entity that can be sued and has not, in any case, been served in this matter.

8. The amount in controversy exceeds \$75,000. Wrigley and Alaska Ob-Gyn pray in their Complaint for compensatory damages in excess of \$1 million, plus additional punitive damages, and treble damages under the Alaska Unfair Trade Practices Act. Compl. Prayer for Relief ¶¶ 1 – 3.

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9. Accordingly, the Complaint satisfies the diversity and amount in controversy requirements of 28 U.S.C. §§ 1332(a) and 1441(b)(2). The State Action is, therefore, a civil action over which this Court has original jurisdiction pursuant to 28 U.S.C. § 1332 and is one that may be removed to this Court pursuant to the provisions of 28 U.S.C. §§ 1441 and 1446.

VENUE

10. Venue is proper in this district pursuant to 28 U.S.C. § 1391 and District of Alaska Local Rule 3.3(b).

NOTICE

11. Promptly after the filing of this Notice, Providence will serve written notice of this removal on Wrigley and Alaska Ob-Gyn, and will file a copy of this Notice with the Clerk of the Court of the Superior Court for the State of Alaska, Third Judicial District at Anchorage. A copy of the Notice to State Court of Filing Notice of Removal to Federal Court that will be filed with the State Court is attached hereto as Exhibit B.

WHEREFORE, Providence has removed the State Action to this Court.

DATED this 6th day of September, 2017.

DAVIS WRIGHT TREMAINE LLP
Attorneys for Providence Health & Services –
Washington d/b/a Providence Alaska Medical Center
and Providence Community Ministry Board

By: /s/ Elizabeth P. Hodes

Elizabeth P. Hodes, Alaska Bar No. 0511108
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Certificate of Service:

I certify that on the 6th day of September, 2017,
a true and correct copy of the foregoing document was served on
the following via:

(XX) Email and First Class Mail

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By: /s/ Elizabeth P. Hodes

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